

BOARD OF POLICE COMMISSIONERS

Minutes of the Regular Board of Police Commissioners Meeting Thursday, February 3, 2005

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, February 3, 2005, at 3:00 p.m., at Police Headquarters, 1300 Beaubien-Rm. 328-A, Detroit, Michigan 48226.

ATTENDANCE

Board Members Present

Arthur Blackwell, II
Erminia Ramirez
Jim Holley
Megan Norris
Willie Hampton

Department Personnel Present

DC Gary Christian
Cmdr. Ralph Godbee
Insp. Oneill
Insp. Gail Wilson-Turner
Lt. Jeffrey Romeo
Lt. Cerda
Sgt. Debbie Jackson
Sgt. Hampton
Sgt. Romell Alexander
Sgt. Tim Dollinger
PO Bibbs
PO Weekly
PO Mike Woody
PO Paul Carmona
Atty. Nancy Ninowski

Board Staff Present

Dante' L. Goss, Executive Director
E. Lynise Bryant-Weekes, Personnel Director
Denise R. Hooks, Attorney/Supervising Inv.
Arnold Sheard, Interim Chief Investigator

OTHERS PRESENT

Ron Scott
Ms. Walters
Gloria Canales
Sandra Hines

Rick Jones
Gloria Canales
Tawana Moore
Atty. John Goldpaugh
Atty. S. Allen Early
Leonard Henderson

RECORDERS

Jerome Adams
Kellie Williams

1. CALL TO ORDER

Chairperson Blackwell called the regular meeting of the Detroit Board of Police Commissioners to order at 3:25 p.m.

2. APPROVAL OF MINUTES

- ♦ **Thursday, January 20, 2005**
- ♦ **Thursday, January 27, 2005**

MOTION: **Comm. Holley** made the motion to approve the above Minutes.

SECOND: **Comm. Norris** seconded the motion.

VOTE: All in attendance voted in the affirmative.

3. REPORT FROM THE CHAIR

There was no report from the chair.

4. SECRETARY'S REPORT – EXEC. DIR. GOSS **Suspensions**

On February 3, 2005, **Police Officer Steven Compton**, Badge 4465, assigned to the Ninth Precinct, was suspended without pay by Chief Ella M. Bully-Cummings.

On Sunday, January 30, 2005, the Internal Controls Division Internal Affairs Section was notified of an allegation of misconduct on the part of Police Officer Steven Compton, Badge 4465, assigned to the Ninth Precinct. More specifically, the allegation of misconduct concerned operating a motor vehicle upon a public street or highway within the city of Detroit in such a manner so as to cause the death of another person. As a result, an Internal Affairs investigation was initiated.

The Internal Affairs investigation revealed the following:

On January 30, 2005, at approximately 1:15 a.m. Officer Compton and two (2) of his friends arrived at the Town Pump Bar (hereinafter the Bar) located on Park Street in the city of Detroit after having left Hamlin's Bar located in the city of Rochester Hills, Michigan. At approximately 2:00 a.m. the staff of the Bar requested that all patrons leave the premises as the Bar was closing for the evening. Thereafter, Officer Compton and his two (2) friends left the Bar and proceeded to Officer Compton's vehicle, that being a 2004 Ford Pickup Truck. After which, they drove off with Officer Compton operating the Ford Pickup Truck. In so doing, Officer Compton proceeded the wrong way down a one way street, Park Street, at a speed greater than that which was safe for the icy road conditions. At the intersection of Park Street and the I-75 Service Drive, Officer Compton turned right wherein his vehicle spun out of control and completed a three hundred and sixty (360) degree spin. After regaining control of the vehicle, Officer Compton then accelerated and veered to the right side of the roadway at which time Officer Compton's vehicle struck an individual (hereinafter victim), who was walking on the side of the street. After which, the vehicle dragged the victim and collided with a building, coming to rest with the victim trapped under the vehicle. Emergency Medical Services responded to the incident wherein the victim was pronounced dead at the scene.

Officer Compton was arrested and conveyed to the First Precinct for processing. At that time, a Breathalyzer examination was administered to Officer Compton with the result being .11 blood alcohol content (hereinafter BAC).

Also, on January 30, 2005, Officer Compton was ordered to report to Concentra Health Services for a just cause drug screening, the results of which are still pending.

On Monday, January 31, 2005, Officer Compton was charged with *Homicide - Manslaughter With Motor Vehicle, Operating a Motor Vehicle Under the Influence of Intoxicating Liquor Causing Death* (hereinafter

OUIL/Death), and *Commission of a Felony with a Motor Vehicle - Advisory* (hereinafter Advisory), contrary to MCL 750.321, MCL 257.625(4), and MCL 257.732, respectively. Homicide - Manslaughter With Motor Vehicle is a felony punishable by fifteen (15) years in prison and/or a fine of not more than seven thousand five hundred dollars (\$7,500.00). OUIL/Death is a felony punishable by fifteen (15) years in prison and/or a fine of two thousand five hundred dollars (\$2,500.00) to ten thousand dollars (\$10,000.00). Advisory applies upon conviction of a felony in which a motor vehicle was used in that the driver's license shall be suspended by the Secretary of State.

Also, on Monday, January 31, 2005, Officer Compton was arraigned at the State of Michigan Thirty-Sixth District Court on the aforementioned charges. At that time, a plea of not guilty to the charges was entered on Officer Compton's behalf. Officer Compton was released on a personal bond of ten thousand dollars (\$10,000.00). A Preliminary Examination is pending.

Based on the above circumstances, it is recommended that Officer Compton be charged with, but not limited to the following violation of the Detroit Police Department Rules and Regulations:

CHARGE: CONDUCT UNBECOMING AN OFFICER; CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS, THIS BEING IN VIOLATION OF THE 2003 DETROIT POLICE DEPARTMENT MANUAL DIRECTIVE 102.3-5.7.

Unless contravened by this Commission, the above suspension without pay will stand.

Exec. Dir. Goss asked is there any representation for Officer Compton?

Atty. Goldpaugh stated as this Board is aware, because the charges against Officer Compton are a felony, we would not be presenting any arguments on his behalf at this time.

There were no contraventions to the above suspension without pay.

Chairperson Blackwell stated I understand that the Shaina family is present.

Exec. Dir. Goss stated that is true.

Chairperson Blackwell extended the Board's deepest regrets and condolences to the family of Marvin Shaina.

Exec. Dir. Goss stated we also received notice of a suspension without pay for **Police Officer Nathaniel Pittman, Badge 4702**, assigned to the Ninth

Precinct. Mr. Goldpaugh and Ms. Ninowski have agreed to put this on the record as of today, but the arguments will be held in two (2) weeks.

Atty. Goldpaugh stated that is correct.

Exec. Dir. Goss stated we have one more suspension without pay, which was asked for a closed door session and that will be brought at the end of the Commission meeting.

CITIZEN COMPLAINTS RECEIVED

	<u>This Week</u>	<u>Year to Date</u>
2005 - Weekly Count of Complaints:	22	88
2004 - Weekly Count of Complaints:	68	100

- The Office of the Chief Investigator (OCI) closed a total of **54** cases this week.
- The Office of the Chief Investigator submitted **0** cases to the Chief's Office. The Chief's Office has reviewed and returned **0** cases to OCI.

5. REPORT/PRESENTATION – CHIEF OF POLICE

DETROIT POLICE DEPARTMENT

***REPORT TO THE* BOARD OF POLICE COMMISSIONERS**

Vision Statement

BUILDING A SAFER DETROIT THROUGH COMMUNITY PARTNERSHIPS.

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take guns and drugs off the streets of the city of Detroit.

SPECIAL ENFORCEMENT ACTIONS

During the period of January 26th–February 1st, the *Narcotics Enforcement and Conspiracy Units* conducted 41 search warrants and 26 street enforcement actions within the boundaries of the city of Detroit, resulting in the following arrests and confiscations:

- ◆ 43 Felony arrests
- ◆ 111 Misdemeanor arrests
- ◆ 5 Juveniles detained
- ◆ 72,809.1 Grams of cocaine, 23.7 grams of heroin, 4 pills and 1,431.4 grams of marijuana - street value \$29,130,353.00
- ◆ \$2,751,384.00 U.S. currency

Confiscated:

- ◆ 19 Handguns
- ◆ 2 Vehicles

The Vice Unit

During the period of January 26th–February 1st while on-duty and in full uniform, officers of the Vice Unit conducted “Operation Pressure Point” within the boundaries of the 10th Precinct. As a result of their efforts, the following citations were issued:

- ◆ 125 Uniform Law Citations
- ◆ 21 Miscellaneous Ordinance Citations
- ◆ 9 Michigan Liquor Control Commission Inspections
- ◆ 1 Michigan Liquor Control Commission Violation Citation

The Metropolitan Division

During the period of January 26th–February 1st, officers from the Metropolitan Division conducted targeted patrol enforcement actions within the boundaries of the city of Detroit. As a result of their efforts, the following arrests, confiscations and citations were issued:

- ◆ 16 Felony arrests
- ◆ 8 Misdemeanor arrests
- ◆ 6 Juveniles detained
- ◆ 471 Miscellaneous Ordinance Citations
- ◆ 2 Handguns
- ◆ 4 Long guns

Police/Community Intervention



GETTING THE GUNS OFF THE STREET !



Total Guns Confiscated
Year-To-Date
236

FIFTH PRECINCT

On January 26th officers of the 5th Precinct responded to the 3400 block of Courville on a "Home Invasion in Progress" run. As the result of an investigation, two (2) men were arrested for "Home Invasion II" and "Habitual 2nd."

SIXTH PRECINCT

On January 26th, officers from the 6th Precinct responded to the 8200 block of Stout on an "Investigate a Suspicious Person Going In and Out of the Yard" run. Due to the officers' quick response, a man was observed leaving the backyard of the location with a bag. As a result of their investigation, one (1) man was arrested for "Home Invasion II." Recovered were miscellaneous household items taken from the home; the property was returned to the homeowner.

NINTH PRECINCT

On January 26th, officers of the 9th Precinct received information that a stolen car was parked in front of 13233 E. State Fair. Subsequent to an investigation, one (1) man was arrested for "Carrying Concealed Weapon-Motor Vehicle" and "Receiving and Concealing Stolen Property." Confiscated were one (1) handgun and one (1) vehicle.

TENTH PRECINCT

On January 28th, officers of the 10th Precinct while on patrol in the area of 14th and Davison observed a vehicle disregard a red signal. The officers conducted a traffic stop, which resulted in the arrest of two (2) men for "Carrying Concealed Weapon-Motor Vehicle", "Felon in Possession of a Firearm" and "Possession of a Felony Firearm." Confiscated was one (1) handgun.

ELEVENTH PRECINCT

On January 27th, officers of the 11th Precinct while on patrol in the 14000 block of Anglin observed a man closely matching the description of one wanted for "Home Invasion Just Happened." Further investigation resulted in the arrest of the man for "Home Invasion I" and "Habitual 2nd."

TWELFTH PRECINCT

On January 30th, officers of the 12th Precinct responded to the 19000 block of Livernois on a "Breaking and Entering in Progress" run. [Subsequent to an investigation, two \(2\) men were arrested for "Breaking and Entering Business."](#)

THIRTEENTH PRECINCT

On January 26th, officers of the 13th Precinct while on patrol in the area of Woodward and Alexandrine observed a vehicle disregard a red signal. [The officers conducted a traffic stop, which resulted in one \(1\) man being arrested for "Carrying Concealed Weapon – Motor Vehicle." Confiscated was one \(1\) handgun.](#)

Chief of Police Ella M. Bully-Cummings

6. PRESENTATION – SPECIAL RESPONSE TEAM

Sgt. Randall Hampton gave the following PowerPoint presentation:

(SEE ATTACHMENT)

Questions & Answers

Comm. Hampton asked what is the criteria for recruits to join the Special Response Team?

Sgt. Hampton stated we put out a teletype. The officer must have at least 3 years of experience, once we look at their personnel file; we mostly check their sick time. They have to have an excellent and impeccable record, no discipline record. Once they pass that, they are ready for the physical qualification test. You have to be able to run 3 miles in under 25 minutes, do at least 10 pull-ups and 60 to 80 sit-ups and you get scored on points. Once you pass that, we then put you in a pool and we take the best candidates from that.

Comm. Norris asked so, you are exempt, folks can't just transfer in under the seniority provisions or anything like that?

Sgt. Hampton stated correct.

Comm. Hampton asked how long is the training?

Sgt. Hampton stated the training takes approximately one (1) year, which includes a total of 640 hours.

Vice-Chairperson Ramirez asked how many females are in your office?

Sgt. Hampton stated currently there are none. We had several that applied and came out for the tryouts. We sent a teletype out to do the run and a lot of people fail on the run, including men.

Vice-Chairperson Ramirez asked females?

Sgt. Hampton stated and females. We have one (1) female sniper.

Comm. Holley asked in terms of the mission statement, you talk about protecting innocent citizens, we talk about protecting personnel, should there not be that you are also in there to protect the person that you are trying to apprehend.

Sgt. Hampton stated yes, that is correct.

Comm. Holley asked how often are test runs given to make sure that we are current with Homeland Security?

Sgt. Hampton stated I continue to get them on base every other month. With the All Star Game coming up, we are in the full training mode and response. Currently, we have been training for three (3) to four (4) days a week. We also work with Wayne County, FBI, SWAT, and Michigan State Police.

Comm. Holley asked do you make presentations in the community?

Sgt. Hampton stated yes, we go to all schools and churches.

Comm. Norris asked what skills do you use most often when you are called upon?

Sgt. Hampton stated Barricaded Gunperson, Search Warrants for homicide suspects.

Chairperson Blackwell stated that was an excellent presentation. Thank you.

7. APPROVAL OF GENERAL ORDERS

• DIRECTIVE 102.4: DISCIPLINE

MOTION: **Comm. Norris** made the motion to approve the above Directive.

SECOND: **Comm. Holley** seconded the motion.

VOTE: All in attendance voted in the affirmative.

• **DIRECTIVE 202.7: FOOT PURSUIT**

MOTION: **Comm. Norris** made the motion to approve the above Directive.

SECOND: **Comm. Holley** seconded the motion.

VOTE: All in attendance voted in the affirmative.

• **DIRECTIVE 304.4: BOARD OF REVIEW**

MOTION: **Comm. Norris** made the motion to approve the above Directive.

SECOND: **Comm. Holley** seconded the motion.

VOTE: All in attendance voted in the affirmative.

8. OTHER BUSINESS

Chairperson Blackwell stated we have a closed session item and I would like to ask the Board, if we could have a motion to go into recess.

MOTION: **Comm. Norris** made the motion that the Board conduct a closed session pursuant to MCL15.268(A) of the Open Meetings Act to review a personnel matter. Malitive to the individual has requested that his hearing go into closed session.

SECOND: **Comm. Hampton** seconded the motion.

VOTE: All in attendance voted in the affirmative.

THE BOARD MEMBERS BEGAN THE CLOSED SESSION MEETING AT 3:50 P.M.

THE BOARD MEMBERS RETURNED FROM THE CLOSED SESSION MEETING AT 4:36 P.M.

Chairperson Blackwell asked Ms. Ninowski to come forward.

Exec. Dir. Goss stated on January 20, 2005, **Police Office Paul Carmona**, Badge 2809, assigned to the Sixth Precinct, was suspended without pay by Chief Ella M. Bully-Cummings.

Atty. Ninowski stated at this point, the Department moves to withdraw the petition and reserves the right to bring the petition forward at a later date. Thank you.

9. ANNOUNCEMENT OF NEXT MEETING

Thursday, February 10, 2005 @ 6:30 p.m.
Roberto Clemente Center
2631 Bagley
Detroit, MI 48216

10. ORAL COMMUNICATION FROM THE AUDIENCE

Ron Scott voiced his concerns regarding the increase in the number of citizens of color, who have been shot over the past several months. He also stated there needs to be some serious evaluation of the two shootings that occurred in the Sixth Precinct. Also, citizens should be concerned about what the Department is doing in terms of its lethal force mandate.

Sandra Hines voiced her concerns about how police shootings are a managerial decision that is coming from the top and being tolerated, it should be mandatory that officers be put in rehabilitation, if they have a drug or alcohol related problem, and the costs of officers towing citizen's car.

Tawana Morris asked is the city liable for an officer when he/she is on or off duty and brought up on charges?

Chairperson Blackwell asked do you mean post investigation or during the investigation?

Ms. Morris stated immediately after an incident happens.

Comm. Norris stated like are they drug tested or those sorts of things.

DC Christian stated in most cases whenever there is a shooting, the officer is put on administrative leave or restrictive duty staff.

Ms. Morris stated I mean medical examination.

DC Christian stated yes, they through the whole process through the medical section and psych during the investigation. If there is something on our part, where feel like there is some wrongdoing on our part, then a warrant is typed up on that individual.

Ms. Morris stated I'm talking about in a timely manner. Say like if....

DC Christian stated that if it is to come immediately to the Board as far as suspension without pay then.

Comm. Norris stated that actually the new board policy sort of lays this out and I think a lot of this was already done some of it may be new but most of its already been done. They are immediately released from regular duty instantly. Their gun is instantly taken away. They are sent to the Medical Section for psychiatric evaluation. There may be other evaluations depending on certain circumstances, like drug or alcohol testing. If the Chief deems it appropriate which means charges are brought, then they are immediately suspended. Each case is going to be different.

Ms. Morris asked is that with or without pay? Or is it discretionary?

Comm. Norris stated that it's always a discretionary to the Chief whether or not she wants to bring it without pay or not. Our experience has been, when the charges filed that they are coming to us. So, that means without, so that's up to the Chief.

Leonard Henderson stated on February 13, 2004, of last year I was attacked by five people and my hands and my feet were messed up. When a full moon comes out, this fellow comes back and tries to attack me with a shovel this time. And, I just want to say that I'm tired and nothing has been done. This fellow has been known to have parties for Wayne County Deputies, of sexual content and prostitutes and all of that other type of stuff. Nothing has been done. And I think he was a police informer at the same time.

Chairperson Blackwell stated obviously you have been attacked and you want to have some result to that response.

Mr. Henderson stated correct.

Chairperson Blackwell asked have you filed a police complaint?

Mr. Henderson stated correct.

Chairperson Blackwell stated he gets the point of him coming out today which was to voice his displeasure. But it's too much information. What I want

to do is all of that specific information is give it to either Commander Godbee or DC Christian. They have to come back to us because were going to ask them what happened with what you gave them. We are going to ask them, what was it, where is it, and report to us.

Chairperson Blackwell stated that all he can say is that this is an issue of a citizen getting a position of disposition to any intervention that they have with the police department. And, what we want to happen is after you fill comfortable that after you have been interviewed relative to these complaints that you are making, that what they tell you in front of us we feel comfortable that there has been some progress, the case has been closed or whatever. And that's all I'm asking is that you meet with the sergeant in the back and give her all the information that on today's meeting. Hopefully, in the next week or so we can get a handle on it. Because you took time to come down here.

Comm. Norris asked DC Christian if he could get some information about the Michigan Police Officer Association because they have called a bunch of her neighbors and asked for a donation.

11. ADJOURNMENT

The meeting was adjourned at 5:00 p.m.

Respectfully submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/kdw